REMARKS

Claims 54-56 and 58-68 have been canceled without prejudice herein, and new claims 69-81 have been added. Accordingly, claims 69-81 will be pending upon entry of this amendment.

In the December 3, 2004 Office Action, the Examiner indicated that claim 67 would be allowable if rewritten in independent form. The indication of allowable subject matter is gratefully acknowledged. Allowable claim 67 has been rewritten in somewhat broader form herein, as independent claim 69, but still refers to monoclonal antibody MR1 produced by the hybridoma having ATCC Accession No. HB 11048. MR1 binding and other features are now used to fully define *the antigen* to which the recited anti-gp39 antibody binds.

Canceled claim 67 was directed to a method of reducing T cell responsiveness *in vivo* to an autoantigen expressing cell, which method comprises administering to a subject in need of such treatment: (a) an antigen-presenting cell that presents an autoantigen; and (b) an anti-gp39 antibody, wherein the anti-gp39 antibody is MR1 produced by the hybridoma having ATCC Accession No. HB 11048 and is administered prior to, concurrent with, or subsequent to administration of the antigen-presenting cell in an amount effective to reduce T cell responsiveness to the antigen-presenting cell.

New claim 69 is directed to a method for reducing T cell responsiveness *in vivo* to an autoantigen expressing cell, which method comprises administering to a subject in need of such treatment: (a) an antigen-presenting cell that presents an autoantigen; and (b) an anti-gp39 antibody which binds to an antigen, which antigen: (i) is bound by MR1, wherein MR1 is a monoclonal antibody produced by a hybridoma having ATCC Accession No. HB 11048; (ii) is present on activated but not resting T-cells; and (iii) has the same molecular weight as a protein precipitated by a CD40-immunoglobulin (CD40-Ig) fusion protein, wherein the anti-gp39 antibody is administered prior to, concurrent with, or subsequent to administration of the antigen-presenting cell in an amount effective to reduce T cell responsiveness to the antigen-presenting cell.

New claims 70-81 have been added to depend from claim 69. Support for all new claims is found throughout the specification as originally filed, for example, as indicated below.

Support for new claim 69 is found in the specification, for example, at page 3, ll. 15-22, page 7, l. 1 to page 9, l. 19, page 14, l. 3, and in originally filed claims 1, 7, 8, 41 and 51. In particular, new claim 69 recites that the antigen bound by the anti-gp39 antibody (i) is bound by MR1 having ATCC Accession No. HB 11048, (ii) is present on activated but not resting T-cells, and (iii) has the same molecular weight as a protein precipitated by a CD40-immunoglobulin fusion protein. Support for clause (i) can be found at page 7, ll. 19-30, page 28, ll. 34-35 and page 29, ll. 2-6. Support for clause (ii) can be found at page 29, ll. 2-4. Support for clause (iii) can be found at page 28, ll. 15-18.

New claims 70, 71, 77 and 78 are directed to the method of claim 69 in which the antigen-presenting cell is selected from the group consisting of B lymphocytes, monocytes, dendritic cells, Langerhans cells, keratinocytes, endothelial cells, astrocytes, fibroblasts and oligodendrocytes. Support for this claim can be found at page 9, ll. 37-39 and page 10, l. 1.

New claim 72 is directed to the method of claim 69 in which the antigen-presenting cell is an activated B lymphocyte. Support for this claim can be found at pg. 10, ll. 28-31 and Example 1 at page 14.

New claim 73 is directed to the method of claim 69 in which the antigen-presenting cell is a splenic activated B lymphocyte. Support for this claim can be found in Example 1 at page 14.

New claim 74 is directed to the method of claim 69 in which the antigen-presenting cell is a lymphoid cell. Support for this claim can be found at page 10, ll. 8-9.

New claims 75 and 76 are directed to the method of claim 69 in which the antigen-presenting cell is a peripheral blood lymphocyte or a bone marrow cell, respectively. Support for these claims can be found at page 10, ll. 35-38.

New claim 79 is directed to the method of claim 69 in which the anti-gp39 antibody is an anti-human gp39 antibody. Support for this claim can be found at page 27, in Example 6, Experiment 1.

New claims 80 and 81 are directed to the method of claim 69 in which the anti-gp39 antibody is a humanized anti-human gp39 antibody or a chimeric anti-human gp39 antibody, respectively. Support for these claims can be found at page 8, ll. 16-26.

No new matter has been added by way of this amendment. Each of the Examiner's rejections is discussed below.

The Examiner's attention is respectfully directed to the courtesy copy of the Revocation Of Power Of Attorney and Appointment Of New Power Of Attorney originally filed on January 14, 2004 and the Application Data Sheet submitted herein. It is respectfully requested that all future correspondence regarding this case is sent to the address indicated in these documents.

Written Description

Claims 63 and 64 were rejected under 35 U.S.C. § 112 as allegedly lacking written description. The Examiner contends that the specification as originally filed does not provide support for "peripheral blood activated B lymphocyte" (claim 63) or "bone marrow activated B lymphocyte" (claim 64).

In response, without conceding the correctness of this rejection, claims 63 and 64 have been canceled without prejudice. Therefore, this rejection is rendered moot.

The Examiner objected to the specification in view of claim 67 and required that the specification be amended to recite the date of deposit and the complete name and address of the depository of the MR1 antibody. In response, the specification has been amended to recite the required information. See, "Amendment to the Specification" on page 2 above. A copy of the receipt issued by the ATCC for deposit and maintenance of the MR1 hybridoma is also submitted herewith, at **Tab 1**. Accordingly, withdrawal of this rejection is believed to be in order.

Obviousness

Claims 54-56, 58-66 and 68 were rejected as allegedly obvious over Lederman et al. (U.S. Patent No. 6,403,091) in view of Berschorner et al. (U.S. Patent No. 5,597,563), Cobbold et al. (U.S. Patent No. 5,690,933) and Enyon et al. (J. Exp. Med. 175: 131-138, 1992).

In response, without conceding the correctness of this rejection, claims 54-56, 58-66 and 68 have been canceled without prejudice. Therefore, this rejection is rendered moot.

CONCLUSION

In view of the foregoing, the pending claims in this application are believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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